

REMARKS

Claims 30-39 are pending in this application. The Examiner rejects:

- claims 30-39 under 35 U.S.C. §102(b) as being anticipated by Watanabe et al. (Watanabe); and
- claims 31, 34 and 36 under 35 U.S.C. §103(a) as being unpatentable over Watanabe in view of Sukegawa et al. (Sukegawa).

Also, the Examiner objects to claims 30, 33, 35, 37 and 39 due to allegedly inconsistent terms “renew” and “step”.

With regard to the Examiner’s objections to the terms “renew” and “step”, Applicant amends the claims to replace these terms with the terms “rewrite” and “stage”, as suggested by the Examiner. Therefore, the Examiner’s objections should be withdrawn.

Also, Applicant amends independent claims 30, 32, 33, 35 and 37-39 even more clearly to recite the features of Applicant’s invention, namely, that the stages of rewriting processing comprise erasure of the flag area, blank check of data area, and writing of data into the data area. These amendments are merely clarifying amendments as to the feature of stages of rewriting processing. No estoppel is created.

With regard to the Examiner’s prior art rejections, the Examiner interprets Watanabe as disclosing at least two stages marked by: (1) setting and resetting of the read protect bit and (2) setting of a recording termination flag (see Office Action, paragraph 14). Accordingly, the Examiner argues that Watanabe discloses determining completion of a plurality of stages (i.e., stages 1 and 2 as noted above) a step (or a stage) at a time, and renewing the results of these determinations (i.e., setting and resetting of (1) the read protect bit and (2) recording termination flag), as recited in Applicant’s independent claims 30, 32, 33, 35 and 37-39.

Applicant respectfully traverses the Examiner's prior art rejections as follows.

According to an aspect of Applicant's claimed invention, the flags include at least the rewriting start flag and the rewriting end flag, and also include flags allocated to keep a more detailed history so that, when a subsequent rewriting is performed after an interruption of an initial rewriting is detected, the subsequent rewriting can proceed beginning with a process following the process at which the initial rewriting has been interrupted (see, for example, Applicant's specification, page 15, lines 17-26). A non-limiting, exemplary implementation of Applicant's invention is illustrated in Applicant's Fig. 9 which shows flags set for at least the following stage (or steps) of the rewriting processing: (1) "erasure of the rewriting area" stage, marked by the erasure of the flag area and/or setting of the erasure flag; (2) "blank check of the data area" stage, marked by setting of a blank error flag and/or blank check end flag; and (3) "writing" stage, marked by writing an end flag and/or a verify error flag (see Applicant's specification at pages 16 through 18).

Applicant respectfully submits that neither Watanabe, nor Sukegawa, discloses or suggests performing a determination of completion the plurality stages as recited in the independent claims 30, 32, 33, 35 and 37-39. Likewise, neither Watanabe, nor Sukegawa discloses or suggests performing a determination of whether the plurality of stages are good or bad, as recited in the independent claims Watanabe, nor Sukegawa.

Therefore, Applicant's independent claims 30, 32, 33, 35 and 37-39, as well as the dependent claims 31, 34 and 36 (which incorporate all the novel and unobvious features of their

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respective base claims) are not anticipated by Watanabe, and would not have been obvious from any reasonable combination of Watanabe and Sukegawa.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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